payable to the Mayor and City Council of Baltimore, with a surety or sureties to be approved by the Board of Estimates, conditioned to indemnify and save harmless the Mayor and City Council of Baltimore from any and all damages that may accrue to it or on account of the construction, prosecution or repair of the work, or any of it, done and performed by them in the exercise of the privilege hereby granted, and to remove, free of cost to the City of Baltimore, said pipes from the beds of the streets after sixty days' notice by the Mayor and City Engineer, owing to the failure for a period of six months of said Richard B. Fentress and Summerfield B. Medairy, their successors and assigns, after laying said pipes, to use the same.

SEC. 11. And be it further ordained, That the said Richard B. Fentress and Summerfield B. Medairy, their successors and assigns, shall, upon notification by the City Engineer or other proper municipal official, that he intends to repair or lay sewers, water or other pipes, or wires or other municipal construction belonging to the City of Baltimore, at once proceed to remove any of their subway or pipe line that may interfere with the progress of such work by the City Engineer, or other proper municipal official, or else protect the same at their expense and without cost to the city, and should such work by the City Engineer or other proper municipal official, make necessary the change of the grade of the streets, lanes or alleys in which said work is done, they shall also pay the cost of removing and restoring said pipes to conform to such change of grade. And

Removal of pipes.

further, in the event that they, their successors and assigns, shall, in the construction, prosecution or repair of their work, injure any sewer, water or other pipes or wires belonging to the City, they shall, upon notification thereof from the City Engineer, promptly repair the same at their cost and expense, subject to the supervision and direction of the City Engineer.

SEC. 12. And be it further ordained, That the said Richard B. Fentress and Summerfield B. Medairy, for and on behalf of themselves, their successors and assigns, shall, within thirty days after the passage of this ordinance, accept the same in writing, which acceptance shall be filed in the Office of the Comptroller of the City within said period of thirty days. And they shall also, within said time, execute and deliver a bond additional to that required in Section 10 of this ordinance, to the Mayor and City Council of Baltimore in the penalty of ten thousand ($10,000), dollars conditioned for the faithful performance by them of the work authorized by this ordinance according to the terms and provisions thereof, which bond in said penalty and with a surety or sureties to be approved by the Board of Estimates, shall accompany said written acceptance of this ordinance, and this ordinance shall not be in force until it shall be so accepted by them, as aforesaid, and until said bond shall be filed and approved.

Acceptance in writing.

SEC. 13. And be it further ordained, That in consideration of the grant of the franchise conferred by this ordinance, the said Richard B. Fentress and Summerfied B.